



10-22-07

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Commissioner for Patents

Faxed to: (571) 273-1859

COVER LETTER

Legal Instruments Examiner (LIE)

Attn: Peggy S. Yarborough (571)-272-1859

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Primary Examiner: Dr. Epps-Ford/1633 (571) 272-0757

Application No: 10/600,364

"Method, Material, and Device of Making Graft"®©

Re: Response referred to the Notice of Non-Compliant Amendment mailed 09/21/2007, email/phone communications from Feb. through Oct, and 02/26/07 OA.

Dear LIE Yarborough:

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1. Please cancel claims 1-16 and enter amendment claim 17-30 for exam.

2. Please amend Specification: p1, line 19 -20 to:

This application is a continuation-in-part of US Patent Application No. 09/589,248 filed June 7, 2000, now US Patent # 6,824,549 and delete [US Patent # 6,171,635].

3. Please amend the title to "Method, Material, and Device of Making Graft".

4. Because component of coral including calcium, hyaluronate including healon, arginine repeating arginine, angiogenesis factor including angiogenin and anigenic herb extract, thus, please delete [calcium], [healon], [arginine], [angiogenin], and [angiogenic herb extract] in p13, line 3, 4, 8,11,12.

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5. Overcome 35 U.S.C. 102 Rejection Based on Printed Publication or Patent [R-5] by:
" (A) the claims are patentably distinguishable from the prior art;
 (B) Amending the claims to patentably distinguish over the prior art;
 (C) benefit within the time period or filing a grantable petition by amending the specification of the application to contain a specific reference to a prior application or"

Present material has special utility in making an artificial graft cultured in situ, and thus, results in significant vessel structural difference from Nunez et al. Even if both products may contain fibrin or collagen, this new graft (connection, bypass) having an opening on the wall of a tubular organ and a connection of two lumens, differed from Nunez's product.

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Differed from Lim et al: Although bioacceptable gel and common elements of C/H/O are used in broad areas all over the body, different method/condition/inducer/formula/utility make different structures. Besides, Lim et al need the essential parts of two rings and a clip, which this application has never involved.

Referred 2 and 3 are anastomosis, meaning to join two preexisting tubular organs together. In contrast, the application is to create an artificial graft in situ connected to a preexisting organ.

Because the method of making an artificial graft is utility novel and unobvious, the dependant material and device are unobvious as the following amendment.

If there is still anything does not comply with the rules, please allow the examiner to write amendment, where appropriate.

Respectfully submitted,

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Attached:

Claim Listing (No new matter) 2p
Marking to show the change (No new matter) 10p
Clean version (No new matter) 15p
Prove Patentability distinguishable from Referrals 1- 4: 1p (= 5/16/2007 mailed)
~~All Drawings Stay the same as original 7p (original)~~
Declaration 2p
Information Disclosure Statement F8: 3p

I certify this correspondence of response is faxed/post office express mailed to above address on October 19, 2007 by Iris Chao (Zhao). *Iris Chao (Zhao)*

I certify there is no new matter added. Iris Chao (Zhao) Oct 19, 2007